



Dkt. 41426-GC/JPW/MAF/AJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ron. S. Israeli et al.

U.S. Serial No.: 10/614,625

Group Art Unit:

Filed: July 2, 2003

Examiner:

For: PROSTATE-SPECIFIC MEMBRANE ANTIGEN

1185 Avenue of the Americas  
New York, New York 10036  
March 26, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This Supplemental Information Disclosure Statement is submitted under 37 C.F.R. §1.97(b)(3) to supplement the Information Disclosure Statement filed on July 2, 2003 in connection with the above-identified application.

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references which are listed on the attached PTO-1449 form (**Exhibit A**).

1. U.S. Patent No. 4,554,101, issued November 19, 1985 to Thomas P. Hopp;
2. U.S. Patent No. 5,162,504, issued November 10, 1992 to Julius S. Horoszewicz;
3. U.S. Patent No. 5,538,866, issued July 23, 1996 to Israeli et al.;
4. PCT International Application No. PCT/US93/10624, filed November 5, 1993, International Publication No. WO 94/09820, published May 11, 1994;
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  83. U.S. Patent No. 6,348,464, issued February 19, 2002 to Paul F. Jackson et al.;
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  88. U.S. Patent No. 6,458,775, issued October 1, 2002 to Paul F. Jackson et al.;
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  91. Barbara S. Slusher and Krystyna Wozniak, U.S. Serial No. 09/866,729, filed May 30, 2001, U.S. Publication No. 20020013295, published January 31, 2002;
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96. Barbara S. Slusher et al., U.S. Serial No. 10/119,828, filed April 11, 2002, U.S. Publication No. 20030064912, published April 13, 2003;
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100. U.S. Patent No. 5,773,292, issued June 30, 1998 to Neil H. Bander;
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102. Neil H. Bander, U.S. Serial No. 09/929,546, filed August 13, 2001, U.S. Publication No. 20030031673, published February 13, 2003;
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106. David M. Nanus et al., U.S. Serial No. 10/160,994, filed May 30, 2002, U.S. Publication No. 20030007974, published January 9, 2003;
  107. PCT International Application No. PCT/US02/17298, filed May 30, 2002, International Publication No. WO 02/096460 A1, published December 5, 2002;
  108. PCT International Application No. PCT/US02/17068, filed May 30, 2002, International Publication No. WO 02/098897 A2, published December 12, 2002;
  109. U.S. Patent No. 5,935,818, issued August 10, 1999 to Ron S. Israeli et al.;
  110. U.S. Patent No. 6,569,432 B1, issued May 27, 2003 to Ron S. Israeli et al.;
  111. Pending claims in Ron S. Israeli et al., U.S. Serial No. 08/403,803, filed March 17, 1995;
  112. Pending claims in Ron S. Israeli et al., U.S. Serial No. 08/466,381, filed June 6, 1995;
  113. Pending claims in Ron S. Israeli et al., U.S. Serial No. 08/470,735, filed June 6, 1995;
  114. Pending claims in Ron S. Israeli et al., U.S. Serial No. 09/724,026, filed November 28, 2000;
  115. Pending claims in Ron S. Israeli et al., U.S. Serial No. 09/990,595, filed November 21, 2001;
  116. Pending claims in Ron S. Israeli et al., U.S. Serial No. 08/481,916, filed June 7, 1995;
  117. Pending claims in Ron S. Israeli et al., U.S. Serial No. 10/012,169, filed October 24, 2001;
  118. Pending claims in Ron S. Israeli et al., U.S. Serial No. 08/894,583, filed February 23, 1998;
  119. Pending claims in Ron S. Israeli et al., U.S. Serial No. 10/751,346, filed January 2, 2004;

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120. PCT International Application No. PCT/US96/02424, filed February 23, 1996, International Publication No. WO 96/26272, published August 29, 1996;
121. Pending claims in Ron S. Israeli et al., U.S. Serial No. 10/443,694, filed May 21, 2003, U.S. Publication No. 20040001846, published January 1, 2004;
122. Neil H. Bander, U.S. Serial No. 09/357,704, filed July 20, 1999;
123. Neil H. Bander, U.S. Serial No. 09/357,707, filed July 20, 1999;
124. Neil H. Bander, U.S. Serial No. 09/357,708, filed July 20, 1999;
125. Neil H. Bander, U.S. Serial No. 09/357,709, filed July 20, 1999;
126. Neil H. Bander, U.S. Serial No. 09/357,710, filed July 20, 1999;
127. Gerald P. Murphy et al., U.S. Serial No. 09/561,462, filed April 28, 2000;
128. Gerald P. Murphy et al., U.S. Serial No. 09/561,502, filed April 28, 2000; and
129. Gerald P. Murphy et al., U.S. Serial No. 09/724,630, filed November 28, 2000.

The Examiner is respectfully requested to make these references of record in the present application by initialing and dating the PTO 1449 form provided as **Exhibit A**, and returning a copy of the executed form to applicants' representatives with the next Communication concerning this application.

The subject application is a continuation-in-part of and claims the priority of United States Application Serial No. 10/433,694, filed May 21, 2003, which is a continuation of U.S. Serial No. 08/705,477, filed August 29, 1996 and issued May 27, 2003 as U.S.

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Patent No. 6,569,432. U.S. Patent No. 6,569,432 is a continuation-in-part and claims priority of International Application No. PCT/US96/02424, filed February 23, 1996, which is a continuation-in-part of and claims priority of U.S. Serial Nos. 08/466,381 and 08/470,735, both filed June 6, 1995.

All of the above-listed references for which copies are available to applicants have previously been submitted to, or cited by, the U.S. Patent and Trademark Office in connection with applications relied upon by the present application for an earlier effective filing date. Specifically, the following references were submitted to or cited by the Patent Office in connection with U.S. Serial No. 08/466,381: references 1-42 were submitted in an Information Disclosure Statement filed July 11, 1997; references 43 and 44 were submitted in a Supplemental Information Disclosure Statement filed March 20, 2000; references 45-48 were submitted in a Supplemental Information Disclosure Statement filed October 20, 2000; references 49 and 50 were submitted in a Supplemental Information Disclosure Statement filed January 19, 2001; reference 51 was submitted in a Supplemental Information Disclosure Statement filed May 7, 2002; and references 52-54 were cited by the Patent Office in an Office Action issued on May 12, 1998. The above-listed references 55-64 were submitted to the Patent Office in a Supplemental Information Disclosure Statement filed on June 27, 2001, in connection with U.S. Serial No. 08/470,735. The above-listed references 65-120 were submitted to the Patent Office in a Supplemental Information Disclosure Statement filed on March 5, 2004, in connection with U.S. Serial No. 10/443,694. The above-listed reference 121 was submitted to the Patent Office as Exhibit 53 in a Supplemental Information Disclosure Statement filed on March 5, 2004, in connection with U.S. Serial No. 08/466,381. Accordingly, pursuant to 37 C.F.R. §1.98(d), copies of the above-identified references are not

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provided herein since they were previously submitted to, or cited by, the Patent Office in applications relied upon for an earlier effective filing date under 35 U.S.C. §120.

References 122-126 are applications claiming priority of U.S. Patent No. 6,107,090 to Bander (filed April 9, 1997 under U.S. Serial No. 08/836,682 and issued August 22, 2000). The Bander '090 patent is cited as reference 46 in the present Supplemental Information Disclosure Statement. Copies of references 122-126 are not provided as they are unpublished and unavailable to applicants. However, they are understood to be available to the Examiner for his review and consideration.

References 127-129 are applications claiming priority of U.S. Patent No. 6,150,508 to Murphy et al. (filed March 18, 1998 under Serial No. 09/044,668 and issued November 21, 2000). The Murphy et al. '508 patent is cited as reference 50 in the present Supplemental Information Disclosure Statement. Copies of references 127-129 are not provided as they are unpublished and unavailable to applicants. However, they are understood to be available to the Examiner for his review and consideration.

Further to the above, applicants direct the Examiner's attention to the article by Su et al. entitled "Alternatively Spliced Variants of Prostate-specific Membrane Antigen RNA: Ratio of Expression as a Potential Measurement of Progression" (Cancer Research 55: 1441-1443, 1995; reference 51, above), dealing with a splice variant of prostate specific membrane antigen. The first named author of the subject paper, Dr. Sai L. Su, has alleged that he was a co-inventor of claims directed to a splice variant of prostate specific membrane antigen contained in U.S. Patent No. 5,935,818 to Israeli et al. which issued August 10, 1999 and which is assigned to the Assignee of the present case.

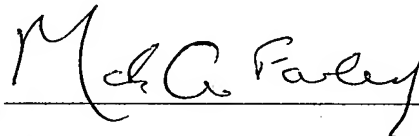
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The subject matter of the claims of U.S. Patent No. 5,935,818 is not, however, the subject matter claimed in the present application. Applicants' representatives are investigating the claim raised by Dr. Su.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone either of them at the number provided below.

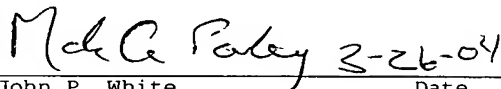
Pursuant to 37 C.F.R. §1.97(b)(3), no fee is deemed necessary in connection with the filing of this Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. 41426-GC /JPW/MAF/AJD		Serial No. 10/614,625								
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Applicant(s) Ron S. Israeli et al.										
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		5	8	5	2	1	6	7	12/22/98	Kay et al.				
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		02	0	9	6	4	6	0	12/05/02	PCT				
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		0 9	5	6	1	5	0	2			04/28/00
		0 9	7	2	4	6	3	0			11/28/00
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<b>EXAMINER</b>						<b>DATE CONSIDERED</b>					
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.											